Customer No. 24498
Attorney Docket No. PD020080
Office Action Date: July 3, 2008

Remarks/Arguments

Claims 1-4 and 7 are pending.

Responsive to the objective to the drawings, references to the decoder in the claims have been deleted, and the abstract and the specification have been amended to refer to reference numeral 1 on a consistent basis. Applicants submit that the objectives are overcome in view of the amendments.

Additionally, the specification has been amended to correct minor formal defects. No new matter is believed to be added by the amendments.

35 U.S.C. §112, ¶

The Examiner has objected to claims 5-7 under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the invention. Specifically, the Examiner noted that the language "it" was without proper antecedent basis.

Claims 5 and 6 have been cancelled. Claim 7 has been amended, removing the word "it." Therefore, it is respectfully asserted that the objection has been satisfied and should be withdrawn.

35 U.S.C. §102

Claims 6-7 stand rejected under 35 U.S.C. §102(b) as being anticipated by Min (U.S. Patent No. 5,936,917) ("Min").

Applicant first notes that claim 6 has been cancelled.

Amended claim 7 is directed to an apparatus for synchronizing subcode time codes and sector addresses of data contained on a recording medium for the communication between a data processing system and a micro controller comprising: means for sending a number of sectors from the micro controller to the data processing system; means for requesting information about the sector headers of the received sectors from the data processing system; and means for calculating the difference between the subcode time

codes and the sector addresses using the information about the sector headers wherein the calculating comprises the repeating the synchronisation steps for different sessions recorded on the same recording medium.

Applicants respectfully submit that Min fails to disclose the feature "calculating the difference between the subcode time codes and the sector addresses using the information about the sector headers wherein the calculating comprises repeating the synchronisation steps for different sessions recorded on the same recording medium," as recited in amended claim 7.

Min teaches a method for "determining the difference between the sub-Q code and header of a CD-ROM loaded in a CD-ROM drive is provided. The method includes the providing a read-out command to a controller in the CD-ROM drive, searching for a sub-Q code area of a first frame and reading the sub-Q code of the sub-Q code area according to the read-out command and storing the same, by means of the controller, enabling a decoder in the CD-ROM drive and reading header information which is the primary output from the decoder, by means of the controller, calculating the difference between the stored sub-Q code and the stored header information, by means of the controller, and processing the difference and transmitting the result, by means of the controller. Here, the result is processed in a computer and displayed on a monitor connected to the computer. Accordingly, it is possible to determine the influence of the recording structure of the CD-ROM on access time, thereby allowing steps to be taken to improve the quality and reliability of the CD-ROM." (Min Abstract)

The Office Action asserts that Min "discloses decoder (decoder 304: FIG. 3) for optical recording media (CD: abstract), wherein it performs a method according to claim 7 or uses a communication protocol (abstract; FIG. 1-4)." (Office Action, page 5)

However, the Examiner admits that Min does "not specifically disclose wherein it further comprises the steps of repeating the synchronization steps for different sessions recorded on the same medium." (Office Action, page 7) As this feature is substantially recited in appreciation form on claim 7, applicants respectfully submit that Min admittedly

fails to disclose or suggest each and every feature of claim 7. This claim is not anticipated by Min.

Applicants respectfully submit that it is not obvious to apply the teaching of Min to each session of a recording medium having more than one session. First, Min is not concerned with synchronizing subcode time codes and sector addresses. Min teaches a determination of a difference between a subcode time code and a sector address. Once the difference is determined, it is checked whether this difference is negative or positive, and whether the difference exceeds a threshold value. No use is made of the difference for synchronization purposes. The determined difference is used during the production process of a master stamper. For the same reason, Min is not concerned with communication between a data processing system and a micro controller.

Multisession CDs on which multiple sessions are recorded may be known. However, as indicated above, Min does not give any hint that the disclosed solution could be used **for synchronizing subcode time codes and sector addresses**. Therefore, the skilled practitioner has no motivation to apply the teaching of Min for synchronization. Even if the skilled practitioner would apply the teaching of Min, it is in no way apparent that different synchronizations are needed for different sessions. Min is not concerned with Multisession CDs, as the described solution relates to the manufacturing of CD-ROM disks. These disks by nature only have a single session. But, even if a Multisession CD was produced using the production process proposed by Min, the resulting disk would have the same synchronization for all sessions. Consequently, a person skilled in the art would not have any motivation to perform the synchronization steps for each session on the disk. Therefore, Min fails to disclose an apparatus capable of "calculating the difference between the subcode time codes and the sector addresses using the information about the sector headers wherein it further comprises the step of repeating the synchronisation steps for different sessions recorded on the same recording medium," as recited in claim 1.

As such, applicants submit that pending claims 1, 3 and 4 are patentably distinguishable over the teachings of Min.

35 U.S.C. §103

Claims 1, 3, and 4, stand rejected under 35 U.S.C. §103(a) as being unpatentable over Min (U.S. Patent No. 5,936,917) ("Min").

Applicants respectfully submit that for the reasons discussed below claims 1, 3 and 4 are patentably distinguishable over the teachings of Min. The teachings of Min have been discussed hereinabove.

Additionally, applicants submit that it is not obvious to modify the teachings of Min to supply the missing elements as applied to the subject claims.

Applicants respectfully submit that it is not obvious to apply the teaching of Min to each session of a recording medium having more than one session. First, Min is not concerned with synchronizing subcode time codes and sector addresses. Min teaches a determination of a difference between a subcode time code and a sector address. Once the difference is determined, it is checked whether this difference is negative or positive, and whether the difference exceeds a threshold value. No use is made of the difference for synchronization purposes. The determined difference is used during the production process of a master stamper. For the same reason, Min is not concerned with communication between a data processing system and a micro controller.

Multisession CDs on which multiple sessions are recorded may be known. However, as indicated above, Min does not give any hint that the disclosed solution could be used **for synchronizing subcode time codes and sector addresses**. Therefore, the skilled practitioner has no motivation to apply the teaching of Min for synchronization. Even if the skilled practitioner would apply the teaching of Min, it is in no way apparent that different synchronizations are needed for different sessions. Min is not concerned with Multisession CDs, as the described solution relates to the manufacturing of CD-ROM disks. These disks by nature only have a single session. But, even if a Multisession CD was produced using the production process proposed by Min, the resulting disk would have the same synchronization for all sessions. Consequently, a person skilled in the art would not have any motivation to perform the synchronization steps for each session on the disk.

Therefore, Min fails to disclose an apparatus capable of "calculating the difference between the subcode time codes and the sector addresses using the information about the sector headers wherein it further comprises the step of repeating the synchronisation steps for different sessions recorded on the same recording medium," as recited in claim 1.

As such, applicants submit that pending claims 1, 3 and 4 are patentably distinguishable over the teachings of Min.

Since dependent claims 3 and 4 are dependent from allowable independent claim 1, it is submitted that they too are allowable for at least the same reasons that claim 1 is allowable.

Claims 2 and 5, stand rejected under 35 U.S.C. §103(a) as being unpatentable over Min (U.S. Patent No. 5,936,917) ("Min"), as applied to claim 1 above, and further in view of Ludtke et al. (U.S. Patent No. PGPUB US 2002/0089517) ("Ludtke").

Applicant first notes that claim 5 has been cancelled.

For the reasons discussed below, applicants submit that pending claim 2 is patentably distinguishable over the teachings of Min in combination with Ludke. The teachings of Min have been discussed hereinabove.

Ludkte teaches a system where "on-screen-display graphics data is transmitted from a source device to a display device over an IEEE 1394-1995 serial bus network utilizing an isochronous data format. The on-screen-display graphics data is generated by the source device and transmitted to a display device, as a stream of isochronous data, separate from video data. Each packet of isochronous data within the stream of on-screen-display graphics data includes an address value corresponding to a memory address within the display device forming a buffer. When received by the display device the on-screen-display graphics data is loaded into the appropriate memory locations within the buffer corresponding to the address values. At the display device, an embedded stream processor is utilized to strip the header information from each packet and determine the appropriate memory location that

the data is to be stored. A trigger packet is sent at the end of the data stream for a screen of on-screen-display graphics. The trigger packet includes a presentation time value corresponding to a display time for the screen of on-screen display graphics. When the trigger packet is received, the display device transfers the data stored in the buffer to a VRAM circuit for display at the specified presentation time. The on-screen-display graphics data can be overlaid on video data for display and also displayed separately. Differential encoding is used when transferring frames of data wherein only a portion of data changes from the previous frame." (Ludkte Abstract)

The Office Action asserts that Ludkte "discloses a method of data transmission (title; abstract) further comprising the steps of: asking the data processing system for a confirmation of sector reception (acknowledgement protocol: paragraph (0005]); and implementing a continuity counter in the data processing system to check if the expected sectors were received (the continuity counter of data blocks to detect a loss of data blocks: paragraph (0053])." (Office Action, page 9)

Ludkte does not disclose, nor does the Office Action assert is discloses, a method of synchronizing subcode time codes and sector addresses contained on a recording medium, wherein such information is used for communication between the data processing system and a micro controller. Therefore, Ludkte, fails to cure the defect of Min as applied to claim 1.

Since dependent claim 2 is dependent from allowable independent claim 1, it is submitted that it too is allowable for at least the same reasons that independent claim 1 is allowable.

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Having fully addressed the Examiner's rejections it is believed that, in view of the preceding amendments and remarks, this application stands in condition for allowance. Accordingly then, reconsideration and allowance are respectfully solicited. If, however, the Examiner is of the opinion that such action cannot be taken, the Examiner is invited to contact the applicant's representative at (609) 734-6804, so that a mutually convenient date and time for a telephonic interview may be scheduled.

No fee is believed due. However, if a fee is due, please charge the additional fee to Deposit Account 07-0832.

Respectfully submitted,

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